

Message Text

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ACTION EA-09

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FM AMCONSUL HONG KONG

TO AMEMBASSY JAKARTA PRIORITY

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AMEMBASSY LONDON

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E. O. 11652: NA

TAGS: ENRG, HK

SUBJECT: FAR EASTERN ECONOMIC REVIEW (FEER) ARTICLE ON PERTAMINA
TANKERS

REF: JAKARTA 11852

1. DUE TO MAO'S DEATH, SEPTEMBER 17 ISSUE OF FEER WAS DELAYED.
CONGEN DID NOT RECEIVE ISSUE UNTIL SEPTEMBER 13 AS OPPOSED TO
NORMAL FRIDAY AFTERNOON (SEPTEMBER 10) RECEIVING TIME.

2. FOLLOWING ARE HIGHLIGHTS OF JENKINS' ARTICLE TITLED
"DEADLOCK OVER DISPUTED TANKERS":

A) "SEVERAL SHIPOWNERS ARE SUING OR THREATING
TO SUE...PERTAMINA TO BREAK A DEADLOCK OVER
PAYMENT FOR TANKERS AND BARGES IT HAD CONTRACTED TO
PURCHASE OR CHARTER."

B) "SOME OWNERS STRESS THEY DO NOT EXPECT THE OIL
GROUP TO PAY THE FULL AMOUNT THEY CLAIM IS OWED
UNDER THE TANKER CONTRACTS, BUT THEY WANT TO
RECOUP SOME OF THEIR LOSSES, AND MAINTAIN
THAT MEANINGFUL NEGOTIATIONS CAN ONLY TAKE
PLACE IF THERE IS A COURT JUDGEMENT AGAINST
PERTAMINA."

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C)" THE SHIPOWNERS SAY PERTAMINA'S DEFENSE AGAINST

HAS BEEN THAT INDONESIA IS NOT OBLIGED TO
TAKE THE UNWANTED TANKERS BECAUSE...SUTOWO
WAS ACTING BEYOND HIS AUTHORITY IN ORDERING
THEM. FEW PEOPLE HERE (JAKARTA) EXPECT THAT
INDONESIA WILL PURSUE THIS LINE OF DEFENSE
TO THE END..."

D)" BURMAH'S INTEREST IN SOME SHIPS IS IN
PARTNERSHIP WITH A PANAMANIAN COMPANY CALLED
ASTROFINO DELMAR. INVOLVED WITH ASTROFINO
IS STEPHEN MORRELL, A US SHIPBROKER LINKED
WITH TANKERS INT'L, A NEW YORK FIRM THAT HAS
BEEN CONCERNED WITH SUB-CHARTERING SOME PERTAMINA
VESSELS.

E)" TO DATE, MUCH LEGAL INTEREST HAS REVOLVED AROUND
A COMPANY NAMED MARTROPICO COMPANIA NAVIERA SA,
ALSO OF PANAMA. MARTROPICO IS LINKED TO
ONE BRUCE RAPPAPORT WHO WAS BELIEVED TO HAVE BEEN
CLOSE TO IBNU SUTOWO...MARTROPICO BROUGHT AN
ACTION IN NEW YORK FOR THE SEIZURE OF PERTAMINA
ASSETS...PERTAMINA'S U.S. LAWYERS, BURKE AND PARSONS,
ARE BELIEVED TO HAVE ARGUED THAT THE CASE BE TAKEN
TO ARBITRATION IN LONDON.

F)" PERTAMINA HAS ALREADY SETTLED WITH SOME OF
THE NORWEGIAN INTEREST AND THE COMPANIES
THAT HAVE BOUGHT THE ACTIONS IN BRITAIN SAY
THEY TOO ARE LOOKING FOR AN OPPORTUNITY TO
DISCUSS SETTLEMENT. OWNERS CONNECTED WITH
THE ACTIONS IN THE BRITISH COURTS SAY THAT BURKE
AND PARSON MADE CERTAIN OFFERS IN MID-AUGUST.
"THESE WERE SO LOW" SAID A SHIPPER, "THAT WE
COULD NOT POSSIBLY ACCEPT".

G)" SAID ONE SOURCE, "THE GOVERNMENT PROBABLY
FEELS THAT SOME PEOPLE SOLD PERTAMINA DOWN THE
RIVER FOR PERSONAL GAIN..BUT YOU CAN'T EXPECT
SHIPOWNERS TO GO ON MEETING THESE COSTS MONTH
AFTER MONTH WITH NO SIGNS OF REDRESS."

3. ARTICLE PRESENTS BROAD PICTURE OF ENTIRE AFFAIR AND
DOES NOT CONCENTRATE HEAVILY ON ANY SPECIFIC SUIT. ORIGINAL
COPY EVIDENTLY TONED DOWN AS FINAL ARTICLE DOES NOT SEEM
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